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Attorney for Plaintiffs:

American Academy Holdings, Inc.

**IN THE UNITED STATES FEDERAL COURT**

**EASTERN DISTRICT OF CALIFORNIA**

AMERICAN ACADEMY HOLDINGS,  
INC. (a Delaware Corporation),

Plaintiffs,

v.

AIG AEROSPACE INSURANCE  
SERVICES, INC. (a Georgia Corporation);  
AIG AEROSPACE ADJUSTMENT  
SERVICES, INC. (a Georgia corporation);  
and DOES 1 through 20, inclusive,

Defendants.

NO: 1-20-CV-00548-NONE-SKO

**STIPULATION AND  
ORDER TO FILE FIRST AMENDED  
COMPLAINT**

(Doc. 16)

[Breach contract; Bad Faith Insurance  
Practices]

It is hereby stipulated by and between the parties the present matter that:

Whereas, on March 16, 2020, Plaintiff, American Academy Holdings, Inc., filed a complaint in the County of Merced, State of California, entitled American Academy Holdings, Inc., v. AIG Aerospace Insurance Services, Inc., et al., which bears Merced County Superior Court case number 20CV-01233.

Whereas, the state court complaint was removed from the state court to federal court on April 16, 2020.

1           Whereas, the parties have communicated regarding certain defects in the complaint related  
2 to the airplane parts that might be covered under the policy of insurance, such parts not being  
3 adequately described in the original complaint.

4           Whereas, the parties have also communicated regarding the name of the corporation,  
5 National Union First Insurance Company of Pittsburgh, PA, that issued the policy of insurance on  
6 which the present action was based, such information not being in the possession of the Plaintiff's  
7 counsel at the time the action was originally filed.

8           Wherefore, the parties stipulate as follows:

9           1. Plaintiff shall be allowed to file a first amended complaint in the form which is attached  
10 hereto as Exhibit A.

11           2. The existing answers of AIG Aerospace Insurance, Services, Inc., and AIG Aerospace  
12 Adjustment Services, Inc., shall be deemed to constitute answers to the first amended complaint.

13           3. Plaintiff shall have 30 days from the signing of the attached order to effect service of  
14 process on National Union Fire Insurance Company of Pittsburgh, PA.

15           4. Once, National Union Fire Insurance Company of Pittsburgh, PA is served, Defendants,  
16 AIG Aerospace Insurance Services and AIG Aerospace Adjustment Services, Inc., shall be  
17 dismissed from the matter, without prejudice.

18           It is so stipulated

19  
20 Dated:

By: John P. Hannon II /s/  
JOHN P. HANNON II  
Attorney for Plaintiff:  
AMERICAN ACADEMY HOLDINGS,

21  
22  
23 Dated:

By: \_\_\_\_\_  
ERIC A. AMADOR  
Attorney for Defendants:  
AIG AEROSPACE INSURANCE  
SERVICES, INC., and AIG AEROSPACE  
ADJUSTMENT SERVICES, INC.

**ORDER**

Having reviewed the stipulation of the parties (Doc. 16) and good cause existing therefore hereby orders that:

1. Plaintiff SHALL file a first amended complaint in the form that is attached to this stipulation and order as Exhibit A.

2. The existing answers of AIG Aerospace Insurances, Services, Inc., and AIG Aerospace Adjustment Services, Inc., SHALL be deemed to constitute answers to the first amended complaint.

3. Plaintiff SHALL have 30 days from this order to effect service of process on National Union Fire Insurance Company of Pittsburgh, PA.

4. Once National Union Fire Insurance Company of Pittsburgh, PA is served, the parties SHALL file a stipulation of dismissal pursuant to Fed. R. Civ. P. 41(a)(1)(a)(ii) of Defendants AIG Aerospace Insurance Services and AIG Aerospace Adjustment Services, Inc.

IT IS SO ORDERED.

Dated: November 12, 2020

/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE